

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department – Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Articles of Charges – Issued.

HOME (OP-I) DEPARTMENT

G.O.Rt.No. 1475

Date: 25.08.2010.

Read the following:

Ref: True Extract of Note file bearing No.16677/Legal-II/A1/2009,

ORDER

It is proposed to hold an inquiry against Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department is directed to submit within 10 days of the receipt of this order, a written statement of his defence.

4. Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He / she should, therefore, specifically admit or deny each article of charge.

5. Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department is further informed that if he / she does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the Inquiry against him ex parte.

6. Attention of Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department is invited to Rule 24 of the A.P. Civil Services (conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1964.

7. The receipt of the Memorandum be acknowledged.

Encls: Annexure I to IV

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Ram Gopal, Section Officer, Home(Legal-II) Department.
S F / S C.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI K.RAM GOPAL, SECTION OFFICER, HOME (LEGAL-II) DEPARTMENT

Article - I

That the said Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department while functioning as Section Officer in Home (Legal-II) Department, has not processed the file bearing No.16677/Legal-II/A1/2009, **for more than 06 months**, after obtaining the orders of Hon'ble CM in circulation, for designating the Special Secretary to Government, Home Department as controlling authority, and for constitution of State Level and District Level Committees as "other officers and staff" to assist the controlling Authority, under sub-section (1) of Section -3 of Private Security Agencies (Regulation) Act, 2005 & under sub-section (2) of Section-3 of Private Security agencies (regulation) Act, 2005, respectively, which shows his negligence and unbecoming on his part. He has also failed in performing duties as a Section head, since there is a lack of proper supervision on his part, in processing the file, after obtaining the orders in circulation.

Thus, he has acted in an irresponsible manner towards his legitimate duties which attracts disobedience / negligence, and his action is against the rule 3(1) (3) of APCS (Conduct) Rules, 1964 and also against the provisions of Rule 35 of A.P.Business Rules, and Secretariat Instructions & Paras 94,95 & 178 of Secretariat Office Manual.

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI K.RAM GOPAL, SECTION OFFICER, HOME (LEGAL-II) DEPARTMENT.

It has been brought to the notice of the undersigned that, the note for circulation to the Hon'ble C.M., through C.S / M (Home), for designating the Special Secretary to Government, Home Department as controlling authority, under sub-section (1) of Section -3 of Private Security Agencies (Regulation) Act, 2005 and for constitution of State Level and District Level Committees as "other officers and staff" to assist the controlling Authority, under sub-section (2) of Section-3 of Private Security agencies (regulation) Act, 2005, were processed in file bearing No.16677/Legal-II/A1/2009 on 12.01.2010 and the same were sent to the higher authorities, on 25.01.2010. The file was returned to the Section on 10.02.2010, after obtaining the orders dated 08.02.2010 of Hon'ble C.M.

Basing on the orders dated 08.02.2010 of Hon'ble C.M, the draft order was processed on 16.08.2010, after a gap of over six months, for scrutiny of Law Department and for issuance. Thus the file is delayed for more than six months, without any action, even after obtaining the orders of Hon'ble CM in circulation.

Further, instructions were issued vide U.O.Note.No.301/Ser.C/1985-1, dated 14.05.1985 that, orders passed in circulation should be issued within 24 hours without fail. Instructions were also issued vide U.O.No.518/Ser.C/1985-1, dated 04.06.1985 to the Secretaries to Government, Law/Finance Departments that, whenever administrative departments refer the cases with drafts to Finance And Law Departments, the files may be attended to immediately so as to facilitate the administrative Department to implement the orders passed in the circulation within 24 hours.

Even though, specific instructions were given from time to time, for quick disposal of the files, after obtaining the orders in circulation, he has not adhered to the instructions and violated the same.

Thus, he acted in an irresponsible manner towards his legitimate duties which attracts disobedience / negligence, and his action is against the rule 3(1) (3) of APCS (Conduct) Rules, 1964 and also against the provisions of Rule 35 of Andhra Pradesh Business Rules, and Secretariat Instructions and also Paras 94,95 & 178 of Secretariat Office Manual.

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE- III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI K.RAM GOPAL, SECTION OFFICER, HOME (LEGAL-II) DEPARTMENT ARE PROPOSED TO BE SUSTAINED.

- 1) True Extract of Note file bearing No.16677/Legal-II/A1/2009,
- 2) U.O.Note.No.301/Ser.C/1985-1, dated 14.05.1985.
- 3) U.O.No.518/Ser.C/1985-1, dated 04.06.1985.

ANNEXURE - IV

List of witnesses by whom the articles of charge framed against Sri K.Ram Gopal, Section Officer, Home (Legal-II) Department are proposed to be sustained.

--NIL--

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

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SECTION OFFICER